

PATENT

Attorney Docket No. IBM/112
Confirmation No. 6131

48

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Troy David Armstrong et al. Art Unit: 2182
 Serial No.: 09/456,211 Examiner: Joshua D. Schneider
 Filed: December 7, 1999 Atty. Docket No.: IBM/112
 For: FAIR ELEVATOR SCHEDULING ALGORITHM FOR DIRECT ACCESS STORAGE DEVICE

Box AF
 Assistant Commissioner for Patents
 Washington, D.C. 20231

**NOTICE OF APPEAL FROM
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed January 24, 2003 finally rejecting claims 1-29.

The item(s) checked below are appropriate:

1. Applicants hereby petition for a _____ month extension of time to reply to the final rejection. A check in the amount of \$_____ is attached.

2. Appeal Fee: XXX Other than a small entity Fee: \$320.00
 Small Entity Fee: \$_____
 Verified Statement attached
 Verified Statement filed previously

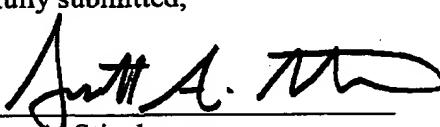
3. Payment
 Check attached for the sum of _____.
 XXX Please charge the sum of \$320.00, any deficiency or credit
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Respectfully submitted,

By:


 Scott A. Stinebruner
 Reg. No. 38,323

Date: 24 APRIL 2003

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TRANSMITTAL

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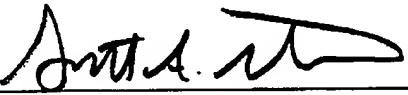
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Sir:

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Fax Cover Sheet containing Certificate of Facsimile Transmission
Transmittal containing Certificate of Facsimile Transmission
Notice of Appeal

Please charge any additional fees or credit overpayment to Deposit Account No. 23-3000.
A duplicate copy of this sheet are enclosed.

WOOD, HERRON & EVANS, L.L.P. By: 
2700 Carew Tower
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Scott A. Stinebruner Reg. No.38,323

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I hereby certify that this correspondence and the enclosures noted herein (3 total pages) are being transmitted via facsimile transmission to Examiner Joshua D. Schneider, Assistant Commissioner for Patents, Washington, D.C. 20231 at 703-746-7238 on April 24, 2003.

Judith L. Volk
Judith L. Volk

Date

April 24, 2003

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IBM Docket RO999104
WH&E IBM/112
Transmittal for Notice of Appeal
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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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April 24, 2003

FACSIMILE COVER SHEET

To: Examiner Joshua D. Schneider
Assistant Commissioner for Patents
Washington, D.C. 20231

Fax: 703-746-7238

Enclosures:

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of Facsimile Transmission
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Notice of Appeal

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application

Serial No. 09/456,211

Filed: December 7, 1999

Applicant: Troy David Armstrong et al.

Art Unit: 2182

Confirmation No.: 6131

Our Ref: IBM/112

Pages: 3 (including cover sheet)

MESSAGE/COMMENTS OFFICIAL

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Judith L. Volk
Judith L. Volk

April 24, 2003
Date

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